



Wisconsin State Senate
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Testimony of Senator John Lehman
Senate Bill 515

Senate Veterans and Military Affairs, Biotechnology, and Financial Institutions Committee
February 24, 2010

Thank you, Senator Sullivan and committee members for allowing me to testify in support of Senate Bill 515, relating to authorization for final disposition of a decedent's remains.

Quite simply, Senate Bill 515 aligns state law with federal law in order to recognize DD Form 93, which designates the conditions of a veteran's final disposition in the event that they die while serving on active duty.

Federal law requires service members to complete DD Form 93 annually and before any deployment. The form designates a person to direct the final disposition of the soldier's remains and enumerates the beneficiaries of their death gratuity and any unpaid income and allowances.

Wisconsin law currently does not recognize the form as a legally adequate document for designating the individual to oversee the disposition of the soldier's remains. Unfortunately, in some cases the service member's wishes have been challenged by way of civil actions between grieving family members. Senate Bill 515 requires accommodation of the soldier's final requests per DD Form 93.

Under existing state statutes, a fallen service member's official designation must include specific wording that does not appear on DD Form 93, the signature of the person authorized to direct designation, the signatures of two witnesses, and the document must be notarized. In addition, the soldier may not realize that DD Form 93 is not legally adequate in Wisconsin.

This legislation clears up the confusion over this discrepancy, allowing family members and funeral directors alike to confidently reference one clear document to carry out final wishes. Rep. Hilgenberg and I introduced this bill at the request of the Department of Defense. It also has the support of the the National Funeral Directors Alliance.

To ensure that the final requests of our fallen soldiers are honored, I hope that the committee members will support Senate Bill 515.